

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

BPB, LLC and HOMEBASE
PROPERTIES, LLC d/b/a Munchies',
Plaintiffs.

v.

JOSEPH J. MILLER,
Defendant.

DOCKET NO. 04-30021-MAP

v.

RE/MAX Integrity Realtors, Inc.,
Third Party Defendant.


STIPULATION OF DISMISSAL WITH PREJUDICE

Now come the parties to the above-entitled action and, pursuant to the provisions of Mass. R. Civ. P. 41 (a) (1) (ii), hereby stipulate that said action, including cross-claims, counterclaims, and third party claims be dismissed with prejudice.

Dated this 30th day of September, 2004.

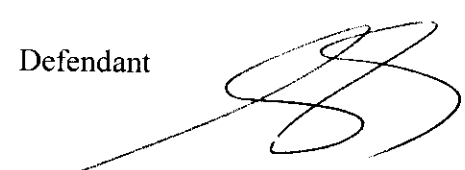
BPB, LLC and HOMEBASE
PROPERTIES, LLC d/b/a Munchies'

Plaintiff


DAVID R. CIANFLONE, Esquire
BBO #542152
Cianflone & Cianflone, P.C.
59 Bartlett Avenue
Pittsfield, MA 01201
(413) 447-7366

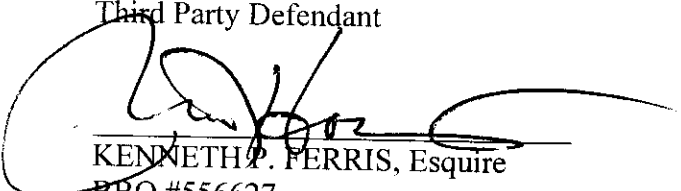
JOSEPH J. MILLER,

Defendant


STEPHEN N. PAGNOTTA, Esquire
BBO #387390
Donovan & O'Connor, LLP
1330 Mass MoCA Way
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(413) 663-3200

RE/MAX Integrity Realtors, Inc.

Third Party Defendant


KENNETH P. FERRIS, Esquire
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